under sub-section (1) of section 37 of the Administrative Tribunals Act, 1985: —

(i) G.S.R, No. 1092(B), dated the 17th September, 1986, publishing the Karnataka Administrative Tribunal (Salaries and Allowances and Conditions of Service of Chairman, Vice-Chairman and Members) Rules, 1986.

(ii) G.S.R, No. 1130(E), dated the 3rd October, 1986, publishing the Karnataka Administrative Tribunal (Procedure) Rules, 1986.

[Placed m Library. See No. LT-3188/86 for (i) and (ii)].

REPORT OF THE PUBLICACCOUNTS COMMITTEE

SHRI NIRMAL CHATTERJEE (West Bengal): Sir, I beg to lay on the Table a copy (in English and Hindi) of the Fifty-seventh Report of the Public Accounts Committee on Excesses over Voted Grants and Charged Appropriations (1984-85) and action taken by Government on the recommendations contained in their Seventh Report (Eighth Lok Sabha) relating to Excesses over Voted Grants and Charged Appropriations (1983-84).

MESSAGE FROM THE LOK SABHA

The Delhi Fire Prevention and Fire Safety BUI, 1986. . ..

SECRETARY-GENERAL; Sir, I have to report to the House the following message received from the Lok Sabha signed by the Secretary-General of the Lok Sabha:—

"In accordance with the provisions of Rule 96 of the Rules of Procedure and Conduct of Business in Lok Sabha, I am directed to enclose the Delhi Fire Prevention and Fire Safety Bill, 1986, as passed by Lok Sabha at its sitting held on the 12th November, 1986."

Sir, I lay a copy of the Bill on the Table.

CALLING ATTENTION To A, MATTER OF URGENT PUBLIC IMPORTANCE

Agitation launched by the Gorkha National Liberation Front for a separate Gorkhaland

SHRI DIPEN GHOSH (West Bengal): Mr. Chairman, Sir, I beg to call the attention of the Minister of Home Affairs to the agitation launched by the Gorkha National Liberation Front for a separate Gorkhaland and the action taken by the Government in this regard.

THE MINISTER OF HOME AFFAIRS SHRI BUTA SINGH): Mr. Chairman, Sir, according to information available with the Government of India, the agitation of the Gorkha National Liberation Front (GNLF) is mainly for the creation of a separate State of "Gorkhaland" within the Union of India and for the abrogation of the Indo-Nepal Friendship Treaty of 1950.

The agitation of the GNLF in the Darjeeling hills area of West Bengal has resulted in a series of violent incidents and a consequent deterioration in the law and order situation in the area.

The GNLF intensified its agitation from about March-April, 1986. From May 12 to 14, 1986, it organised a 72-hour bandh in the Darjeeling hills area. On May 25, 1986, some GNLF supporters at Kurseong took out a procession, violated prohibitory orders and attacked police personnel who opened fire. The firing resulted in the death of 5 person an injuries to 2 others. On July 27, 1986 GNLF supporters burnt copies of Article 7 of the Indo-Nepal Friendship Treaty at various places. A series incident occurred at Kalimpong when police) had to open fire on a violent mob) which had attacked them. According to the Government of West Ben-

[Shri Buta Singh]

gal, 13 people died in the firing and *38* were injured. Apart from this, among poIice personnel, one was killed and large number injured in the incident. A 108-hour bandh began the next day in Darjeeling and other areas.

Though the GNLF had announced the boycott of the Independence Day celebrations on August 15, 1986 and a blockade of movement of timber from the hill areas to the plains from August 23, 1986, Shri • Subhash Ghi-singh, Presid-ent of the *GNLF,* announced on August 14, 1986 the suspension of the agitation and the blockade for one month.

In the last two months there have been a number of incidents of violence in the Darjeeling hills area. Many of the incidents have involved confrontation and clashes between the supporters of GNLF and CPM. The situation requires constant watch by the State Government who are responsible for maintenance of public order. Government have provided para-military forces from time t time as requested for by the State Government and we will continue to provide such assistance.

Government of India are opposed to the division of West Bengal and have categorically rejected the demand for a separate State of Gorkha-land. Government of West Bengal have proposed regional autonomy for the Darjeeling hills area and an amendment of the Constitution for this purpose. Government of India, however, are not in favour of any amendment of the Constitution.

Government also cannot agree to . the demand for the abrogation of the Indo-Nepal Frendship Treaty of 1950. An abrogation of this Treaty would mean that the citizens of Nepal who. are now in India and enjoy certain privileges would not only lose these privileges but would have to be sent back to their country of origin as any other foreigner. Similarly, reciprocal privileges enjoyed at present by Indian citizens-in Nepal would also be lost to them. The Treaty does not adversely affect any of the rights of Indian citizens of Nepali origin and they will continue to enjoy the same rights as any other citizen of India. Therefore, Government have rejected the demand for the abrogation of the Treaty.

I would like to inform the Honourable Members that in a statement on August 14, Shri Subash Ghisingh has categorically stated that they wanted their grievances to be redressed within the framework of the Indian Constitution. In a letter dated September 15, 1986 addressed to me, Shri Subash Ghisingh has repeated this assurance. In this letter he stated that the GNLF had on December 23, 1983 submitted a Memorandum to the King of Nepal, setting out their grievances against the Indo-Nepal Treaty and a copy of the Memoriandum had also been sent to the President and Prime Minister of India. About 15 months later, copies of the letter had been sent to the Secretary General, United Nations and the heads of Government of some countries. He regretted any misapprehension or doubts caused by their sending the Memorandum to the U.N. and some Governments. Shri Ghisingh added, "we assure the Union Government and through it the Parliament and the people of India of our total loyalty to India, which is our motherland."

Government wish to make it clear that violence has no place in a democratic set up. The GNLF is gravely mistaken if it believes that violent confrontation will advance its objetives. Government condemn the violence that has affected Darjeeling hills area due to the confronta-tionist attitude of the GNLF and the CPM.

In our democratic system demands which are apparently political, are of then made because of socio-economic

problems and arise out of a feeling of neglect and a sense of being left out of the socio-economic development process. The development of the' Darjeeling hills area would have to take care of the minimum needs of the people with regard to drinking water, education, employment etc. Government expects that the Government of West Bengal will initiate special measures to promote the development of the Darjeeling hills area and its people.

I would request the House to join me in issuing an appeal to the leaders of the GNLF to give up its misplaced demands and adopts peaceful and democratic methods for the redressal of the genuine grievances of the people. I would also request the Government of West Bengal and particularly the Chief Minister, West Bengal, to display the statesmanship that is necessary at this moment and initiate dialogue with all concerned to remove discontent and bring about order and normalcy in the affected areas.

SHRI DIPEN GHOSH Mr. Chairman, Sir, I am sorry that apparently by making this statement our Hon. Home Minister has taken a position as if with it the Union Government's stand in this matter has been adequately, clarified. Sir, I am constrained to say that still after making this statement the Central Government betrays its utter lack of comprehension of the portents of the GNLF Agitation.

Sir, before I go into certain details about the portents of this particular movement that pose a danger to the unity and integrity of our country, first of all, I would like to deal with the Union Home Minister's statement just made on certain points. An indication has been made in the statement in paragraph 10 as if this movement emerges out Of certain denial by the State Government, or for that matter the Government, to certain economic needs of the people of that area. But, Sir, through you, I would like to draw the attention of our Union Home Minister to a statement made by Mr. Ghisingh and published in the magazine *Frontline* dated August 9—22, 1986, when he replied: "We demand Gorkhaland not for the *dal* and rice." Question of journalist to him was "What is the economic demand of Gorkhaland? Have you anything to say on the contention that funds allotted to the hill areas have not been properly spent or even misutilised or even misappropriated?" The reply of Mr. Ghisingh was: "We do not want any hill development; we do not want our roads to be paved with gold. Our voice is not against any economic mismanagement of allocated funds or for money or for creation of more jobs. We want Gorkhaland." So, Sir, the intention of the leaders of this agitation is clear and it is all the more clear from the memorandum submitted by Mr. Ghisingh to the U.N. and also to be King of Nepal. Sir, the Union Home Minister is smiling when I referred to the memorandum submitted to the UNO, and to the King of Nepal. I do not know why did he smile. Of course, I do not prevent him from smiling: but at least I wanted him to be a little serious, because I have gone through his reply given in the Lok Sabha and I have also read between the lines of his statement—and which I contradict. The whole attempt on the part of the Union Home Minister, and for that matter, the Central Government, is to] look to the problem from the point of view of certain legalism, certain sophistry ag if it is a problem of mere law and order to be tackled by the State Government, or it is a problem created out of confrontation between the two parties, one the GNLF and the other the CPKM), and the problem has been created as if certain violence has been taking place in the hills. I

[Shri Dipen Ghosh]

am sorry that even the Prime Minister had failed, not merely the Union Home Minister, to distinguish between the fight for national unity and the secessionist violence. I hope there would be some persons there on the other side at least to tell them, if not teach them, that you have to distinguish between these two: one is a fight for the national unity, against secessionism, and the other is secessionist violence. Violence is taking place for a confrontation between those who are attacking!—attacking whom?—Attacking those who are defending national unity, and those who are being attacked the national unity. Naturally, we should distinguish between the two. But if any attempt is made to equate the two. I am constrained to say that they lack comprehension of the portents of the movement.

Then, Sir, before I quote from the memorandum certain portions and certain speeches made by Mr. Ghis-ing, I would like to refer to one thing which happened very recently. I think, Mr. Buta Singh has seen the report about it, because this relates to his State, not Rajasthan from which he hails now, but his real State, not real estate, Punjab. *(Interruption)* That may be the real estate also for him. This is from the Telegraph dated November 11, only two days ago. I quote from the title to the last sentence, because this is a small one. It says 'Dai Khalsa offers aid to the GNLF'. "From our Correspondent, Chandigarh: November, 10 The Dal Khalsa has offered to support the Gorkha National Liberation Front, the GNLF, according to official sources. They said that at a secret meeting of the organisation held in a gurudwara here recently, one of the chief activists told the gathering that a letter of support had been sent to Mr.Subash Ghising, the GNLF leader. Official sources said, representatives of the Dal Khalsa, from different parts of Punjab and the U.S. attended the aneeting. In a meeting attended by representatives of the Dal Khalsa from Punjab and the U.S.A., a resolution was passed and sent to Mr. Ghising supporting his movement and promising aid. Even if the Home Minister thinks that this is a newspaper concoction or newspaper creation, I would demand from the Home Minister a statement about it. What exactly transpired in this meeting? What is the intelligence report about it? Even if he can afford to smile away the reference to the memorandum submitted by Mr. Ghising to the King of Nepal or the U.N., he should, at least, not feel shy of placing before us what reports he got from intelligence sources about this meeting, which took place in a gurudwara some where near Chandigarh.

Coming to the specific question whether this movement is anti-national, anti-people and secessionist, I would like to quote from certain portions of the memorandum submitted by Mr. Ghising; I quoted "Even 36 years after Bharat's Independence, the settled ethnic race of the Gorkhas of more than six million are living as degraded human beings in every part of the country of India and part of their own ceded land of Sugali treaty by surrendering their national spirit, national identity, historical pride and their homeland and destiny". Then, it says

> "Further, they became the naked victims of foreign national issue, deportation issue and unnecessary police torture, arrests, raids, kill ings and continuous undesirable inhuman acts and deliberate impo sition of systematic domination by other Indian races."

Again, it gays:

> "The fate and fortune of the Hindus and Muslims of Indian origin by creating two separate independent countries of Bharat and , Pakistan and the said Gorkhas and their ceded land and territory were at the cross-roads of cyclic stage

of self-destruction from the days of 15th August, 1947 without revoking and suspending past treaties and agreements of the then British Government and Nepal."

This way I can quote many other illuminating passages from this memorandum whereby it can he concluded that their demand is to restore the so-called ceded land. I do not know where from they got that historical information and *tor* that they have applied to the King of Nepal. But, Sir, I am sorry that on September 29, 1986, our Prime Minister had gone on to say, I quote:

"They are people of Nepalese origin and why can't they write to. their king? He had said that
' they have written to their monarch, expressing their desire to have
- Indian citizenship. I do not find anything anti-national in that'."

I am sorry to say that even our Prime Minister does not know that Mr. Gheising is an Indian citizen. He may be a Nepali-speaking person, but he is an Indian citizen and most of his people are Indian citizens. Even Mr. Gheising had contested unsuccessfully an election. And our Prime Minister concludes that the Nepali nationals Can write to their king for Indian citizenship. They are writing for acquiring Indian citizenship to the Nepal King, as has been interpreted by our Prime Minister. For getting Indian citizenship should Gheising be told, whom to apply for? If at all be is eager to have the Indian citizenship or if at all he wants a clarification whether they are Indian citizens, did he not seek clarification at the time when he*e* contested an election? He was allowed to contest an election and now he writes to the King of Nepal for granting Indian citizenship to them. And our Prime Minister says, what is wrong in it, a Nepali national writing a letter to the King of Nepal? Am I to say what wrong i there in it? Mr. Asoke Sen, the Union Law Minister, is smiling or rather chuckling.

SHRI BUTA SINGH; On a point of order. The sitting or conduct of the hon. Members in this House cannot be made a subject of speech by another Member because somebody; is relaxing, somebody is smiling, somebody is looking gloomy.

MR. CHAIRMAN: No, no point of order. Please go on. People are trying to smile... *(Interruptions).*

SHRI BUTA SINGH; Is he going to paint everybody red?

SHRI DIPEN GHOSH: All right, I allow all of them to laugh as if it is reported to the press, it will be another way of helping Mr. Gheising and his people.

SHRI BUTA SINGH.. We are listening to what he is saying. I do not want to describe what he Is saying. I will do it in my on turn.

MR. CHAIRMAN; All right, go on.

SHRI DIPEN GHOSH; Mr. Prime Minister has come. Will he make the statement first or should I continue?

MR. CHAIRMAN: You continue.

SHRI DIPEN GHOSH: That is good, that will interest the Prime Minister also. What 1 was saying is, I have come across a statement having been made by the Prime Minister on September 29, 1986. It is on record that when the question was referred to him, whether the writing to Nepal King for having citizenship by Mr. Gheising was anti-national or not, our Prime Minister is reported to have replied like this. Our Prime Minister himself is pre-1 sent here and he can say whethe the newspapers report is wrong.] quote.

"They are people of Nepalese origin and so why can't they write to their king? He had said that they have written to their monarch expressing their desire to have Indian citizenship. 'I do not find anything anti-national in that So, Sir, what I was developnal

[Shri Dipen Ghosh]

during the absence of the Prime Minister...

THE PRIME MINISTER (SHRIRAJIV GANDHI): Sir, if I mayjust correct a little bit. It is 99 percent correct. The implication—Ido not remember the words that Iused—that comes out is that Ghising is a Nepali citizen. I do not think heis a Nepali citizen. But the problems•were those of Nepali citizens whichwere raised with the King of Nepal.That is what I said.

SHRI DIPEN GHOSH: The question was raised in the context of the memorandum submitted by Mr. Ghising to the King of Nepal, asking for restoration of ceded land to Nepal and in that context the Prime Minister was asked a question, whether this writing of this memorandum as such to the King of Nepal was anti-national or not. In reply thereto our lion. Prime Minister had replied that there was nothing wrong in writing to the King of Nepal by the people of Napali origin, implying thereby that Mr. Ghising was not an Indian citizen, or the people Who wrote it were not Indian citizens; so for Indian citizenship they could write to the King of Nepal.

SHRI RAJIV GANDHI; No, Sir, that is precisely what I said Just how. The implication of whatever the hon. Members said was that but that was not what I had said. What I had said was, the problems that Were raised were the problems of Nepali citizens and the problems of Nepali citizens surely can be raised with the King of Nepal. *(Interrup. tioiisy*

SHRI DIPEN GHOSH: All right, I have got the clarification from the Prime Minister himself. So, I will quote the problems which he had raised with the King of Nepal and after that I would ask a question of the Prime Minister whether he still believes that it was right for

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Mr. Ghising to write and to let those I grievances be made known to the King of Nepal for redressal. Shall I quote, Mr. Prime Minister?

SHRI RAJIV GANDHI: Sir. if he wants to ask me, I will say "No".

SHRI DIPEN GHOSH: No, I do not want to quote because he will be facing discomfiture. All right, I again quote:

"Even 36 years after Bharat Independence, the settled ethnic race of the Gorkhas of more than 6 million are living as degraded human beings in every part of the country of India and the parts of their own ceded land of Sugali Treaty by surrendering their national spirit, national identity, historical pride in their homeland and destiny".

This is one problem which he has brought to the notice of the King.

SHRI RAJIV GANDHI: Sir. the question that was asked of me related specifically to citizenship and the removal of Article 6 or

SHRI NIRMAL CHATTERJEE (West Bengal): That is what he con. veniently remembers now.

SHRI DIPEN GHOSH: Even I quote at its face value what he has said just now—about citizenship which I was referring to in his absence, that Ghising who contested unsuccessfully the Indian election, is an Indian citizen and Ghising's writ ing to King of Nepal for having citi zenship, was it right? Will the Prime Minister kindly say that he was within his right to write to the Monarch. He should have been told that he should have written to the Prime Minister of India because lie wanted Indian citizenship. If he wanted Indian citizenship, he should have written to the Indian Prime Minister and not to the King of Nepal.

SHRI RAJIV GANDHI: I think the hon. Member is totally confused.

SHRI DIPEN GHOSH: I am not at all confused.

SHRI RAJIV GANDHI: And he is '.trying to confuse.. .let me complete, please.

SHRI DIPEN GHOSH: You are trying to confuse the entire Indian people.

SHRI NIRMAL CHATTERJEE: The same confusion which Bhindran-wale introduced in the then General Secretary of the Congress.

MR. CHAIRMAN: Please hear the Prime Minister.

SHRI RAJIV GANDHI: What I had said and which I maintain was that it is within the right of anyone
to raise the problems of Nepali citizens with the King of Nepal. It does
not converge on an anti—Indian activity. Can I finish please? *(Inter-uptions).* Mr. Chairman, Sir. Mr. Ghising, I believe, is an Indian citizen. Mr. Ghising does not need to ask for Indian citizenship: he is an Indian citizen. So, that question does not arise. He is not asking for his citizenship. The question that was raised in that memorandum, if I remember correctly, was that of Nepali citizens, not Nepali-speaking Indian citizens. There are Nepali-speaking Indian citizens who do not have that problem, but there are in according to them. We believe that article 7 gives them protection and it is not an article which causes them problems but, in fact, gives them protection in their living and being in India. *(Interruptions).*

MR. CHAIRMAN: It is 12.30 now. The Prime Minister will now make a statement... (Interruptions).

SHRI RAJIV GANDHI: It will give hem some time to cool off, Sir.

STATEMENT BY PRIME MINISTER

Re. big visit to Harare, Indonesia, Australia, New Zealand and Thailand'.

THE PRIME MINISTER (SHRI RAJIV GANDHI): Mr. Chairman, Sir, I attended the Eighth Conference of Nonaligned Countries at Harare from 1st to 7th September. It was a memorable and historic occasion. The 25th anniversary of the Move, ment was marked by a Special Commemorative Session recalling the signal contribution of the Nonaligned Movement to worlf Peace and reainr. ming the continuing validity of the principles and objectives enunciated by its founding fathers—Nehru, Tito, Soekarno, Nkrumah and Nasser.

Warm tributes were paid at the Summit to the memory of the former Chairperson of the Movement, Smt. Indira Gandhi. India's role as Chairperson of the Movement, in consolidating the unity, strength and cohesion of the Movement, was highly appreciated. Our stewardship had brought to the Movement harmony and stability within, and strength and dynamism externally. Diverse and heterogenous in composition but unified by a common commitment te freedom, peace and justice, the Move, ment has remained steadfast in its principles.

At Harare, we handed over the Chairmanship of the Movement to Zimbabwe. The focus of the Summit was on three of the most fundamental issues of our times—human rights in South Africa, freedom for Namibia and the right of all humanity to live in a world free from the constant threat of nuclear extinction.

The Conference adopted a special Declaration on South Africa and established a (Fund for Action For Resisting Invasion, Colonialism and Apartheid: the AFRICA Fund). The AFRICA Fund Committee is chaired by India with Zambia as Vice Chair-